

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION

STEELCASE, INC.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO. 1:05cv888-C
	)	
HARBIN'S INC.,	)	
	)	
Defendant.	)	

**ORDER**

Now pending before the court are defendant Harbin's motion for leave to file (doc. # 75) and motion for leave to appear at the settlement conference telephonically (doc. # 139), as well as the plaintiff's motion to continue status and scheduling conference presently set for October 31, 2005 (doc. # 200). Upon consideration of the pending motions, it is

ORDERED that as follows:

1. That defendant Harbin's motion for leave to file (doc. # 75) and motion for leave to appear at the settlement conference telephonically (doc. # 139) be and are hereby DENIED as moot.

2. That the plaintiff's motion to continue the status and scheduling conference (doc. # (200) be and is hereby GRANTED. The scheduling and status conferences presently set for 11:00 a.m. on October 31, 2005 be and is hereby RESET to 11:00 a.m. on November 16, 2005.

Without the consent of the parties, the Magistrate Judge cannot take dispositive action in this case. *See* 28 U.S.C. § 636(c). As explained in the attached Explanation of Assignment to United States Magistrate Judge, the parties have the right to consent to or to decline consent to a Magistrate Judge's jurisdiction without adverse consequences. Accordingly, counsel for the parties are

DIRECTED to complete and send to the Clerk of the Court either the attached form consenting to Magistrate Judge jurisdiction or the form requesting reassignment to a District Judge so that the form is received by the Clerk on or before **November 10, 2005. DO NOT FILE THIS FORM ELECTRONICALLY.**

Done this 26<sup>th</sup> day of October, 2005.

/s/Charles S. Coody  
CHARLES S. COODY  
CHIEF UNITED STATES MAGISTRATE JUDGE

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION

STEELCASE, INC.,

Plaintiff,

v.

HARBIN'S INC.,

Defendant.

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CIVIL ACTION NO. 1:05cv888-C

**CONSENT TO JURISDICTION BY A UNITED STATES MAGISTRATE JUDGE**

In accordance with the provisions of Title 28, U.S.C. § 636(c), the undersigned party or parties to the above-captioned civil matter who previously have indicated their consent to the jurisdiction of a Magistrate Judge of this Court, hereby confirm in writing their consent to a United States Magistrate Judge conducting any and all further proceedings in the case, including trial, and ordering the entry of a final judgment.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Counsel For (**print** name of all parties)

\_\_\_\_\_  
Address, City, State Zip Code

\_\_\_\_\_  
Telephone Number

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IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
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STEELCASE, INC.,

Plaintiff,

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CIVIL ACTION NO. 1:05cv888-C

**REQUEST FOR REASSIGNMENT OF CASE  
TO A UNITED STATES DISTRICT JUDGE**

The undersigned party hereby declines to consent to the Magistrate Judge's exercise of civil jurisdiction in this case. The undersigned party requests reassignment of this case to a United States District Judge.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Counsel For (**print** name of all parties)

\_\_\_\_\_  
Address, City, State Zip Code

\_\_\_\_\_  
Telephone Number

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IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA

**EXPLANATION OF ASSIGNMENT TO  
UNITED STATES MAGISTRATE JUDGE**

This civil case has been randomly assigned to a United States Magistrate Judge of this court. In accordance with 28 U.S.C. § 636(c), the Magistrate Judges of this court are designated to conduct any and all proceedings in a jury or nonjury civil case and order the entry of final judgment upon the consent of all parties to a case. Any appeal from a judgment entered by a Magistrate Judge is taken directly to the United States Court of Appeals for the Eleventh Circuit in the same manner as any appeal from any judgment entered in this court.

Any party to this lawsuit has the right to consent or decline consent to the jurisdiction of a Magistrate Judge. To exercise your right to consent you should complete the consent form and return it to the Clerk of the Court as indicated in the court's order. **Litigants, without concern for any adverse consequences, freely may decline consent to the jurisdiction of a Magistrate Judge.** If you decline consent to the jurisdiction of a Magistrate Judge, this case will be reassigned randomly to a District Judge.